CLASSIFICATION OFFICE DECISION

Title of publication:	IMG_6327.JPG
Other known title(s):	Not stated
OFLC ref:	1900203.060
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	English
Applicant:	Commissioner of Police
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	01 August 2019
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	01 August 2019

Summary of reasons for decision:

The image file depicts part of a larger computer generated image of a child with associated text that is partially visible, and includes sexual referencing. The Classification Office has considered whether the image promotes or supports, or to tends to promote or support the exploitation of children for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 and concludes that it does not. The text is sexually suggestive rather than sexually explicit and on their own the words have little impact. While a sexual meaning can be inferred it is not the only reading available. Further, the low and degree and mildly suggestive manner in which this image deals with sexual conduct with or by children or young persons under s3(3)(a)(iv) of that Act is unlikely to be injurious to the public good. Therefore the image is classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990.